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JESUS J. PALMERONI

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

|                                    |                            |
|------------------------------------|----------------------------|
| -----X                             |                            |
| N.V.E., INC.,                      | : Civil Action No.:        |
|                                    | : 2:06-CV-05455 (GEB) (ES) |
| Plaintiff,                         | :                          |
| - v. -                             | :                          |
|                                    | : <b>DATE OF MOTION:</b>   |
|                                    | : <b>April 22, 2010</b>    |
| JESUS J. PALMERONI, a/k/a Joseph   | :                          |
| Palmeroni, RONALD SUMICEK, SUNBELT | :                          |
| MARKETING, ABC CORPORATIONS 1-10   | :                          |
| and JOHN DOES 1-10,                | :                          |
| Defendants.                        | :                          |
| -----X                             |                            |
| JESUS J. PALMERONI,                | :                          |
| Third-party plaintiff,             | :                          |
| - v. -                             | :                          |
| ROBERT OCCHIFINTO and WALTER       | :                          |
| ORCUTT,                            | :                          |
| Third-party defendants.            | :                          |
| -----X                             |                            |
| RONALD SUMICEK, et al,             | :                          |
| Third party plaintiff,             | :                          |

**O R D E R**  
**GRANTING LEAVE TO**  
**SERVE MOTION,**  
**STAYING SUBPOENA**  
**AND ADDRESSING**  
**DISCOVERY DISPUTES**

- v. - :  
CB DISTRIBUTORS, INC., :  
Third party defendant. :  
-----X

On or about April 22, 2010, defendant JESUS JOSEPH PALMERONI moved at conference before the Court for an Order (1) granting him leave to move pursuant to Fed. R. Civ. Proc. 26(c) for a Protective Order with respect to certain documents and information sought by the plaintiff, (2) granting him leave to move pursuant to Fed. R. Civ. Proc. 45(c) for an Order quashing or modifying a subpoena served by plaintiff N.V.E., INC. upon non-party LAKE LAND BANK,; and (3) staying the return date of that subpoena pending resolution of such motions.

Also at conference on or about April 22, 2010, the Court considered certain discovery disputes raised by the parties, including (1) whether plaintiff N.V.E., INC. had complied with certain document demands served by defendants RONALD SUMICEK and SUNBELT MARKETING, and (2) whether defendants RONALD SUMICEK and SUNBELT MARKETING had adequately identified which of the documents they produced in this action correspond to particular document demands served by plaintiff N.V.E., INC.

Having considered the aforementioned motion and issues, the Court is of the opinion that the motion should be granted and the disputes resolved by dates certain. Accordingly, it is hereby

ORDERED, that non-party LAKE LAND BANK will not produce any of the documents or information sought by the subpoena served upon it until further order of this Court; and it is further

ORDERED, that on or prior to April 30, 2010, defendant/third party plaintiff JESUS JOSEPH PALMERONI may serve and file papers moving the Court for a protective order pursuant to Fed. R. Civ. Proc. 26(c), and/or for an order quashing or modifying the subpoena served upon non-party LAKE LAND BANK pursuant to Fed. R. Civ. Proc. 45(c); and it is further

ORDERED, that plaintiff N.V.E., INC. may serve and file papers in opposition to any such motion on or before May 7, 2010; and it is further

ORDERED, that on or before April 30, 2010, counsel for defendants RONALD SUMICEK and SUNBELT MARKETING shall advise the Court as to which document demands served by them upon plaintiff N.V.E., INC. have not as of that date been satisfied; and it is further

ORDERED, that on or before May 3, 2010, counsel for defendants RONALD SUMICEK and SUNBELT MARKETING shall advise counsel for plaintiff N.V.E., INC. as to which documents produced

in the action are responsive to the particular document demands served by plaintiff N.V.E., Inc.

Dated:

4/20/10

E. J. Salas  
U.S.M.J.